

Docket No.: MICRON.095C1
App. No.: 10/687,086

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Please Direct All Correspondence to Customer Number 20995

TERMINAL DISCLAIMER UNDER 37 CFR § 1.321

Applicant	: Agarwal et al.
App. No	: 10/687,086
Filed	: October 16, 2003
For	: BORON INCORPORATED DIFFUSION BARRIER MATERIAL
Examiner	: Hu
Art Unit	: 2811

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Disclaimer by Assignee

Assignee, Micron Technologies, Inc. ("Assignee"), hereby disclaims, except as provided below, the terminal part of any patent granted on the above-referenced application which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,635,939, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the above-identified application and U.S. Patent No. 6,635,939 are co-owned. This agreement extends to any patent granted on the above-referenced application and shall be binding on its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-referenced application prior to the earlier of the expiration date of the full statutory term of U.S. Patent No. 6,635,939, and that of any patent issuing on the above-identified application in the event that either one later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

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Right of Assignee and Ownership

In accordance with 37 C.F.R. § 3.73(b), Assignee represents that it is the owner of a 100 percent interest in the above-identified application and co-owned Patent No. 6,635,939, all by virtue of an assignment recorded at Reel No. 010199, Frame No. 0126 on August 24, 1999 by the Assignment Branch of the Patent and Trademark Office. The Assignee represents that, to the best of Assignee's knowledge and belief, title is in the Assignee seeking to take action.

Empowerment of Attorney

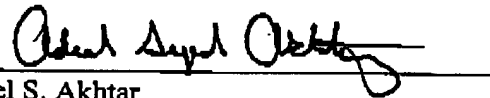
Pursuant to 37 C.F.R. 1.321(a) the undersigned attorney of record is empowered to act on behalf of the Assignee, by virtue of a Power of Attorney.

This Terminal Disclaimer is accompanied by the \$130 fee set forth in 37 C.F.R. § 1.20(d).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR LLP

Date: February 16, 2006



Adeel S. Akhtar
Registration No. 41,394
Attorney of Record
Customer No. 20,995
(415) 954-4114

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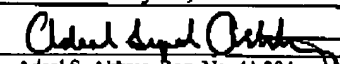
CUSTOMER NO. 20995

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CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all
 marked attachments are being transmitted via
 facsimile to the USPTO Central Fax No. (571)
 273-8300 on the date shown below:

February 16, 2006


 Adcel S. Akhtar, Reg. No. 41,394

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

(X) Terminal Disclaimer in 2 pages (including attachments if any).

FILING FEES:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Terminal Disclaimer	37 CFR § 1.20(d)	1814 (\$130)		\$130
1 Month Extension		1251 (\$120)		\$0
2 Month Extension		1252 (\$450)		\$0
3 Month Extension		1253 (\$1,020)		\$0
SUB TOTAL				\$130
The present application qualifies for Small Entity status under 37 CFR § 1.27. Fee reduced by ½.				(\$0)
General Petition	37 CFR § 1.17(h)	1460 (\$130)		\$0
TOTAL FEE DUE				\$130

(X) Please charge the total fees due in the amount of \$130 to Deposit Account No. 11-1410.

(X) Total pages in transmission: 4

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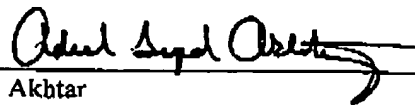
Knobbe Martens Olson & Bear LLP

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CUSTOMER NO. 20995

Filing Date: October 16, 2003

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.



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